

REMARKS

In the office action, a restriction requirement was made between claims 1-18 and 21-22 (Group I) drawn to a method for the preparation of cross-linked enzyme crystals and claims 19-20 and 23-24 (Group II) drawn to a method for the continuous generation of a glucose solution.

In response to the office action, Applicants provisionally elect to prosecute the Group I claims (claims 1-18 and 21-22). This election is made for the purposes of advancing the prosecution of the application and is made with traverse.

Applicants respectfully submit that the requirement to restrict the claims made in this case is improper. The claims as grouped by the examiner are sufficiently related that their respective classes and subclasses would be thoroughly cross-referenced, and essentially the same classes and subclasses would have to be reviewed regardless of which group of claims was examined.

Contrary to the examiner's assertion, the '212 patent does not anticipate claim 1 since the '212 patent does not teach or disclose all of the limitations of claim 1, namely the cross-linked enzyme particle size ranging from about 50 to about 150 microns. Accordingly, the assertion that the Group I and Group II claims do not contain a special technical feature in common is in error.

When searching the Group I claims for prior art relating to a method for obtaining cross-linked enzyme crystals with a particle size ranging from about 50 to about 150 microns, the examiner will undoubtedly have to search and consider art related to a method of using the cross-linked enzyme crystals of the Group II claims. Likewise, when searching the Group II claims for a method for the continuous generation of a glucose solution using cross-linked enzyme crystals having a particle size ranging from about 50 to about 150 microns, the examiner will have to search and consider the art directed to the method of making cross-linked enzyme crystals as set forth in the Group I claims. All of the groups of claims have a common special technical feature, namely a method of making and using cross-linked enzyme crystals having a particle size ranging from about 50 to about 150 microns.

Since all of the claims under Rule 13.2 contain a special technical feature, the restriction requirement is in error and should be withdrawn. Applicants therefore urge the examiner to reconsider this matter, withdraw the restriction requirement, and proceed with examination of Claims 1-24 in this application.

In the event this response is not timely filed, Applicants hereby petition for the appropriate

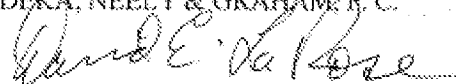
Application Serial No. 10/596,933
Attorney Docket No. 61845.US/4506.0

extension of time and request that the fee for the extension along with any other fees that may be due with respect to this paper be charged to our Deposit Account No. 12-2355.

Respectfully submitted,

LUEDEKA, NEELY & GRAHAM, P.C.

By:

A handwritten signature in dark ink, appearing to read "David E. LaRose", written over a horizontal line.

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